

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Nakamura, et al.
U.S. Appln. Ser. No. : 09/889,459
Int'l Appln. No. : PCT/JP00/08113
Int'l Filing Date : November 17, 2000
Title of Invention : DIGITAL SIGNAL PROCESING APPARATUS,
SYSTEM THEREOF, AND EXTENSION
FUNCTION PROVIDING METHOD

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Date of Deposit: October 22, 2001

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PETITION TO WITHDRAW NOTIFICATION OF MISSING REQUIREMENTS

Assistant Commissioner for Patents
Washington, D.C. 20231
Attn: Charita A. Burt, Paralegal

Madam:

This is a Petition to withdraw the Notification of Missing Requirements mailed August 27, 2001 in the above-identified application. A copy of that Notification is enclosed.

For a complete understanding of what appears to be the circumstances surrounding this application, Applicants note that a similar Notification of Missing Requirements

issued on August 28, 2001 in related, companion U.S. application 09/889,380 (the '380 application).

On July 16, 2001, Applicants' below-named attorney filed, by express mail, fully executed U.S. patent application papers pursuant to 35 USC 371, including a direct English translation of the specification and claims of international application PCT/JP00/08113, to which U.S. application Serial No. 09/889,459 was assigned. A copy of those application papers as filed, including the date-stamped receipt postcard acknowledging receipt thereof, is enclosed. The U.S. application papers contained 12 claims. This is identical to the number of claims contained in the international application.

On the same day, July 16, 2001, Applicants' below-named attorney filed, by express mail, fully executed U.S. patent application papers pursuant to 35 U.S.C. 371, including a direct English translation of the specification and claims of international application PCT/JP00/08112, to which U.S. application Serial No. 09/889,380 was assigned. The '380 U.S. application papers contained 24 claims. This is identical to the number of claims contained in international application PCT/JP00/08112.

Applicants' attorney believes that the executed declaration attached to the U.S. application papers filed in connection with the '459 application became confused in the PTO Mail Room with the executed application papers filed in connection with the '380 application. As a result, the Notification of Missing Requirements incorrectly was mailed in connection with the '459 application (and, similarly, the Notification of Missing Requirements incorrectly was mailed in connection with the '380 application).

Since the '459 application was filed with a fully executed declaration, was filed as a direct English translation of the international application upon which it is based and contained

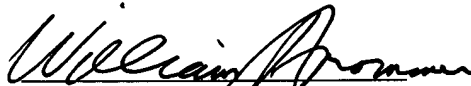
precisely the same number of claims as said international application, it is respectfully requested that the Notification of Missing Requirements mailed August 27, 2001 be withdrawn.

It is believed that no fees are due for this Petition. However, if a Petition Fee is needed, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:



William S. Frommer

Reg. No. 25,506

(212) 588-0800

WSF/dds
Enclosures

Express Mail Label No. FL819166370 US

Serial No. _____ File No. 450108-02850 By WSA/dls
Title In the Matter of the Application of Digital Signal Processing Apparatus
The following due 7/17/01 in the U.S. Patent Office, was received in the Patent Office
☐ Affidavit ☐ Declaration ☒ Express Mail Mailing Certificate
☐ Amendment ☒ (separate sheet)
☐ Preliminary Amendment ☒ Check No. 16609 for \$ 860⁰⁰
☐ Amendment After Final Rejection ☐ Deposit Account Order Form
☐ Request for Extension of Time ☒ Drawing 14 Sheet(s)
☐ Provisional Patent Application ☒ Information Disclosure Statement
☒ Application for Patent, including 1 pg. ☒ PTO Form 1449, and refs
32 Pages Specification 12 Claims Abstract ☐ Issue Fee Transmittal
☒ Declaration ☐ Oath ☒ Power ☐ Brief ☐ Letter
☐ Request for Filing Continuation or Divisional ☐ Application for TM Registration
Application _____ sheets, in duplicate Including _____ Specimens
☐ File Wrapper Continuation Patent Application ☐ Status Request ☐ Notice of Appeal
_____ sheets, in duplicate ☐ Petition ☐ Response
☐ PCT Request _____ sheets, including ☐ Priority Document
☒ Transmittal Letter to the US/RO ☐ Small Entity Declaration
☒ Assignment ☒ Recordation Cover Sheet ☒ PCT/ISA/101, PCT/ISA/210
Check No. 26608 for \$ 40⁰⁰

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526 Rec'd PCT/PTO 16 JUL 2001

Serial No. _____ File No. 450108-02850 By WSA/dls
Title In the Matter of the Application of Digital Signal Processing Apparatus
The following due 7/17/01 in the U.S. Patent Office, was received in the Patent Office
☐ Affidavit ☐ Declaration ☒ Express Mail Mailing Certificate
☐ Amendment ☒ (separate sheet)
☐ Preliminary Amendment ☒ Check No. 16609 for \$ 240⁰⁰
☐ Amendment After Final Rejection ☐ Deposit Account Order Form
☐ Request for Extension of Time ☒ Drawing 14 Sheet(s)
☐ Provisional Patent Application ☒ Information Disclosure Statement
☒ Application for Patent, including 1 pg. ☒ PTO Form 1449, and refs
32 Pages Specification 12 Claims Abstract ☐ Issue Fee Transmittal
☒ Declaration ☐ Oath ☒ Power ☐ Brief ☐ Letter
☐ Request for Filing Continuation or Divisional ☐ Application for TM Registration
Application _____ sheets, in duplicate Including _____ Specimens
☐ File Wrapper Continuation Patent Application ☐ Status Request ☐ Notice of Appeal
_____ sheets, in duplicate ☐ Petition ☐ Response
☐ PCT Request _____ sheets, including ☐ Priority Document
☒ Transmittal Letter to the US/RO ☐ Small Entity Declaration
☒ Assignment ☒ Recordation Cover Sheet ☒ PCT/ISA/101, PCT/ISA/210
Check No. 26608 for \$ 40⁰⁰ **09/889459**



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FROM: (PLEASE PRINT) 212 588 0800 William S. Frommer Esq. FROMMER LAWRENCE & HAUG LLP 745 5TH AVE FL 10 NEW YORK NY 10151-1000 WSF/ddls 450106-02850		TO: (PLEASE PRINT) Assistant Commissioner for Patents Box PCT Washington, D.C. 20231	

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FROM: (PLEASE PRINT) 212 588 0800 William S. Frommer Esq. FROMMER LAWRENCE & HAUG LLP 745 5TH AVE FL 10 NEW YORK NY 10151-1000 WSF/ddls 450106-02850		TO: (PLEASE PRINT) Assistant Commissioner for Patents Box PCT Washington, D.C. 20231	


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SERIAL NO. _____

FL & H DOCKET NO. 450106-02850TITLE Digital Signal processing Apparatus, System
thereof, and extension function providing.

- ☐ APPEAL BRIEF
☐ APPEAL FEE
☐ CERTIFICATE OF CORRECTION
☐ DISCLAIMER
☐ EXTENSION OF TIME
☐ FEE FOR ADDED CLAIMS
☐ FILING FEE
☐ ISSUE FEE
☐ MAINTENANCE FEE
☐ MISSING PARTS
☐ NOTICE OF OPPOSITION

- ☒ PETITION FEE
☐ PETITION FOR CANCELLATION
☐ PETITION TO REVIVE
☒ RECORDING FEE
☐ REQUEST FOR ORAL HEARING
☐ SEC. 8 TM DECLARATION FEE
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☐ TM RENEWAL

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FROMMER LAWRENCE & HAUG LLP
745 Fifth Avenue
New York, New York 10151
(212) 588-0800

Attorney Docket No. 450106-02850

Applicant(s) : Nakamura, et al.
For : DIGITAL SIGNAL PROCESSING APPARATUS,
SYSTEM THEREOF, AND EXTENSION FUNCTION
PROVIDING METHOD
Corresponding Int'l Appln. : PCT/JP00/08113
International Filing Date : November 17, 2000

Commissioner of Patents and Trademarks
Washington, D.C. 20231

1. Names of Conveying Parties : Masashi NAKAMURA, Hisayoshi
MORIWAKI, Sunao FURUI, Ichiro
HAMADA
2. Names and addresses of receiving parties : Sony Corporation
7-35 Kitashinagawa 6-Chome,
Shinagawa-ku, Tokyo 141, Japan
3. Nature of Conveyance : Assignment.
Execution Dates : June 20, 2001, June 20, 2001, June 22, 2001 and June 26, 2001.
4. ☐ Application No.:
☒ This document is being filed together with a new application, the execution date of the
application is June 20, 2001, June 20, 2001, June 22, 2001 and June 26, 2001.
5. Name and address of party to whom the recorded assignment and any correspondence concerning
the document should be mailed:

William S. Frommer
Registration No. 25,506
FROMMER LAWRENCE & HAUG LLP
745 Fifth Avenue
New York, New York 10151.

6. Total number of applications and patents involved: 1.
7. Total Fee (37 CFR 3.41): \$40.00.
☒ Fee enclosed, Check No. 16608.
8. ☐ Charge Fee Deposit Account No. 50-0320 (Attach duplicate copy of this page if paying by deposit
account).
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9. Statement and Signature.
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy
is a true copy of the original document.

William S. Frommer, Esq.
Name of Person Signing

Signature

July 16, 2001
Date

00020232

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ASSIGNMENT

WHEREAS, I, as below named inventors, residing at the addresses stated next to our names, am a sole inventor (if only one name is listed below) or a joint inventor (if plural names are listed below) of certain new and useful improvements in

DIGITAL SIGNAL PROCESSING APPARATUS, SYSTEM THEREOF, AND EXTENSION FUNCTION PROVIDING METHOD

for which application for Letters Patent of the United States of America was executed by me on the date indicated next to my name and address;

AND WHEREAS, SONY CORPORATION, a Japanese corporation, with offices at 7-35 Kitashinagawa 6-Chome, Shinagawa-Ku, Tokyo 141, Japan (hereinafter referred to as ASSIGNEE) is desirous of acquiring all interest in, to and under said invention, said application disclosing the invention and in, to and under any Letters Patent or similar legal protection which may be granted therefor in the United States and in any and all foreign countries;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I, as a sole or joint inventor as indicated below, by these presents do hereby assign, sell and transfer unto the said ASSIGNEE, its successors, assigns, and legal representatives, the entire right, title and interest in the said invention, said application, including any divisions and continuations thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted for said invention, and in and to any and all priority rights and/or convention rights under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and to any other benefits accruing or to accrue to me with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto, and I hereby authorize and request the Commissioner of Patents to issue the said United States Letters Patent to said ASSIGNEE, as the assignee of the whole right, title and interest thereto;

And I further agree to execute all necessary or desirable and lawful future documents, including assignments in favor of ASSIGNEE or its designee, as ASSIGNEE or its successors, assigns and legal representatives may from time-to-time present to me and without further remuneration, in order to perfect title in said invention, modifications, and improvements in said invention, applications and Letters Patent of the United States and countries foreign thereto;

And I further agree to properly execute and deliver and without further remuneration, such necessary or desirable and lawful papers for application for foreign patents, for filing subdivisions of said application for patent, and or, for obtaining any reissue or reissues of any Letters patent which may be granted for my aforesaid invention, as the ASSIGNEE thereof shall hereafter require and prepare at its own expense;

And I further agree that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to me and will testify as to the same in any interference or litigation related thereto;

And I hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale.

And I hereby authorize and request my attorney(s) of record in this application to insert the serial number and filing date of this application in the spaces that follow: International Serial Number: PCT/JP00/08113, International Filing Date: 17 November 2000.

This assignment executed on the dates indicated below.

Masashi NAKAMURA

Name of first or sole inventor

Execution date of U.S. Patent Application

Chiba, Japan

Residence of first or sole inventor

Masashi Nakamura

June 20, 2001

Signature of first or sole inventor

Date of this assignment

Hisayoshi MORIWAKI

Name of second inventor

Execution date of U.S. Patent Application

Tokyo, Japan

Residence of second inventor

Hisayoshi Moriwaki

June 20, 2001

Signature of second inventor

Date of this assignment

Sunao FURUI

Name of third inventor

Execution date of U.S. Patent Application

Kanagawa, Japan

Residence of third inventor

Sunao Furui

June 22, 2001

Signature of third inventor

Date of this assignment

Ichiro HAMADA

Name of fourth inventor

Execution date of U.S. Patent Application

Kanagawa, Japan

Residence of fourth inventor

Ichiro Hamada

June 26, 2001

Signature of fourth inventor

Date of this assignment

016609

FROMMER LAWRENCE & HAUG LLP

745 FIFTH AVENUE
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July 16 2001

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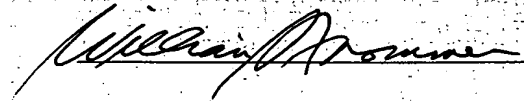
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THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

APPLICANT <u>Nakamura, et al</u>	FL & H DOCKET NO. <u>450106-03850</u>
SERIAL NO. _____	
TITLE <u>Digital Signal Processing Apparatus, System</u> <u>thereof, and extension function</u>	
<input type="checkbox"/> APPEAL BRIEF <input type="checkbox"/> APPEAL FEE <input type="checkbox"/> CERTIFICATE OF CORRECTION <input type="checkbox"/> DISCLAIMER <input type="checkbox"/> EXTENSION OF TIME <input type="checkbox"/> FEE FOR ADDED CLAIMS <input checked="" type="checkbox"/> FILING FEE <input type="checkbox"/> ISSUE FEE <input type="checkbox"/> MAINTENANCE FEE <input type="checkbox"/> MISSING PARTS <input type="checkbox"/> NOTICE OF OPPOSITION	<input type="checkbox"/> PETITION FEE <input type="checkbox"/> PETITION FOR CANCELLATION <input type="checkbox"/> PETITION TO REVIVE <input type="checkbox"/> RECORDING FEE <input type="checkbox"/> REQUEST FOR ORAL HEARING <input type="checkbox"/> SEC. 8 TM DECLARATION FEE <input type="checkbox"/> STATEMENT OF USE <input type="checkbox"/> TM RENEWAL
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New Patent Application filed **July 16, 2001**, entitled:

**DIGITAL SIGNAL PROCESSING APPARATUS, SYSTEM THEREOF,
AND EXTENSION FUNCTION PROVIDING METHOD**

corresponding to PCT Application No. PCT/JP00/08113

filed November 17, 2000

Express Mail No.: EL819166370US

Date of Deposit: July 16, 2001

I hereby certify that this application and the accompanying papers are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231.

Charles Jackson